

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH  
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FIFTH DAY OF AUGUST  
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE V.V.S.RAO**

**WRIT PETITION NO : 13737 of 2004**

Between:

V.S.Malla Reddy, s/o V.V.Subba Reddy,  
r/o H.No.6-1-335/1, Khairtabad, Hyderabad.

**..... PETITIONER**

AND

- 1 The Zonal Manager, L.I.C. of India, South Central Zonal Office,  
Jeevan Bhagya, Saifabad, Hyderabad-63.
- 2 The Senior Divisional Manager, (Disciplinary Authority),  
Life Insurance Corporation of India, Divisional Office, Secretariat

Road, Saifabad, Hyderabad.

- 3 The Chairman, Life Insurance Corporation of India,  
A.P.& Karnataka, Central Office, Yogakshana Jeevan Bhima Marg,  
P.B.No.19953, MUMBAI-400 021.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or writ one in the nature of writ of mandamus, declaring the action of the respondent No.1 in confirming the orders passed by the respondent No.2 without calling for the relevant records and without summoning the employees connected to the charge for examination as being void, discriminatory, arbitrary, illegal, violative of right to defend and violative of right to life as guaranteed under Art.14, 15, 19 and 21 of the Constitution of India and consequently set aside the impugned proceedings No.Mktg/FP dt.4-12-2003 issued by the respondent No.1 including the proceedings of the respondent No.2 bearing Ref.No.P&IR dt.25-7-2003.

**Counsel for the Petitioner: Mr.B.S.V.PRAKASH KUMAR**

**Counsel for the Respondents: MR.D.S.V.G.NAGARAJU, Standing Counsel for**

**LIC of India**

**The Court made the following at the Admission stage:**

**ORDER:**

The petitioner herein was an agent of Life Insurance Corporation of India (LIC of India). He was also a member of the Zonal Manager's Club. On an allegation that he played fraud in obtaining loans as against two LIC policies; one belonging to himself and another to his wife, from two branches of LIC of India, disciplinary enquiry was initiated by the second respondent, the disciplinary authority. By a letter dated 25.07.2003, the second respondent imposed the penalty of terminating the agency and forfeiture of renewal commission of the petitioner as per Regulation 16(1)(a)(b) and 19(1) of LIC Agents' Regulations, 1972. Aggrieved by the same, the petitioner preferred an appeal before the first respondent. The appellate authority by order dated 04.12.2003 rejected the appeal. Thereafter, the petitioner submitted a memorial/appeal to the Chairman of LIC of India, the third respondent herein, which is pending. As petitioner's renewal commission was also forfeited, the petitioner filed the present writ petition aggrieved by the orders of the first respondent dismissing the appeal.

Heard the learned counsel for the petitioner Ms.Sukanya and learned Standing Counsel for LIC of India Mr.Nagaraju. When the petitioner's agency was terminated and his renewal commission was forfeited, unless and until the order passed by the second respondent is nullified or set aside, the petitioner is not entitled for any renewal commission. Further, the petitioner has already availed the appeal by submitting the memorial to the Chairman, which is pending. Such being the case, the writ petition could not be maintainable when the appeal is pending. However, it would be in the interest of justice, to direct the third respondent dispose of the appeal/memorial submitted by the petitioner as expeditiously as possible preferably within a period of two weeks from the date of receipt of copy of this order in accordance with law. The learned Standing Counsel for LIC of India is directed to inform the Chairman about this order.

The writ petition, with the above observations, is disposed of.

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**(V.V.S.RAO,J)**

05.08.2004.

Note: Office to dispatch the copy

by Monday i.e. 9.8.2004.

(By Order)

pln

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Zonal Manager, LIC of India, South Central Zonal Office, Jeevan Bhagya, Saifabad, Hyderabad-63.
2. The Senior Divisional Manager (Disciplinary Authority), LIC of India, Divisional Office, Secretariat Road, Saifabad, Hyderabad.
3. The Chairman, LIC of India, AP and Karnataka, Central Office, Yogakshema, Jeevan Bhima Marg, P.B.No.19953, MUMBAI-400021.
4. 2 CD copies.